

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

In re: FAIRFIELD SENTRY LIMITED, et al., Debtor in Foreign Proceedings.	Chapter 15 Case Case No. 10-13164 (CGM) Jointly Administered
FAIRFIELD SENTRY LTD. (IN LIQUIDATION), et al., Plaintiffs, v. THEODOOR GGC AMSTERDAM, et al., Defendants.	Adv. Pro. No. 10-03496 (CGM) Administratively Consolidated
FAIRFIELD SENTRY LTD. (IN LIQUIDATION), et al., Plaintiffs, v. ABN AMRO SCHWEIZ AG, et al., Defendants.	Adv. Pro. No. 10-03635 (CGM) ORAL ARGUMENT REQUESTED

NOTICE OF MOTION TO DISMISS

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, and all prior pleadings and proceedings in the above-captioned actions, Defendant-Appellee Union Bancaire Privée, UBP SA (sued as ABN AMRO Schweiz AG a/k/a ABN AMRO (Switzerland) AG) (“UBP”) will move this Court for an order dismissing with prejudice the Fifth Amended Complaint of the Liquidators of Fairfield Sentry Limited and Fairfield Sigma Limited in *Fairfield Sentry Ltd. (In Liquidation), et al. v. ABN AMRO Schweiz AG, et al.*, Adv. Pro. No. 10-3635 (Bankr. S.D.N.Y. 2010) (attached hereto as Ex. 1) pursuant to Federal Rule of Bankruptcy Procedure 7012(b) and Federal Rule of Civil Procedure 12(b)(2) for lack of personal jurisdiction.

PLEASE TAKE FURTHER NOTICE that a hearing on the Motion will be held on April 20, 2022, at 10:00 a.m. before the Honorable Cecelia G. Morris, United States Bankruptcy Judge, via videoconference.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Scheduling Order on Personal Jurisdiction Briefing dated September 28, 2021, any responses or objections to the Motion must be made in writing no later than March 15, 2022.

PLEASE TAKE FURTHER NOTICE that, pursuant to Rule 7012(b) of the Federal Rules of Bankruptcy Procedure, Defendant does not consent to the entry of final orders or judgment by this Court.

Dated: October 29, 2021
New York, New York

Respectfully Submitted,

LATHAM & WATKINS LLP

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